

EXHIBIT 2

**For Federal civil complaint/filing
-- PLAINTFF'S BRIEF / MEMORANDUM IN
OPPOSITION TO
"MOTION for Summary Judgment by
Executive Office for United States Attorneys,
United States Department Of Justice."
(Documents #49, and #48) -- OPPOSING
BRIEF IN OPPOSITION TO THE
GOVERNMENT'S/DEFENDANTS'/MOVANT'S
MOTION AND BRIEF/MEMORANDUM UNDER
DOCUMENTS #49 AND #48" --
Brian David Hill v. Executive Office
for United States Attorneys (EOUSA),
United States Department of Justice
(U.S. DOJ)
Civil Case Number 4:17-cv-00027**

U.S.W.G.O.

**In the United States District Court
For the Western District of Virginia
Danville Division**

Brian David Hill (Plaintiff))	
v.)	
Executive Office for United States Attorneys)	CIVIL CASE NO.
(EOUSA), United States Department of)	4:17-CV-00027-JLK
Justice (U.S. DOJ) (Defendants))	

**Declaration of witnesses Roberta R. Hill, Stella B. Forinash and
Kenneth R. Forinash, in support of "PLAINTFF'S BRIEF /
MEMORANDUM IN OPPOSITION TO "MOTION for Summary
Judgment by Executive Office for United States Attorneys, United
States Department Of Justice.""**

**We, Roberta R. Hill, Stella B. Forinash and Kenneth R. Forinash, declare
pursuant to Title 28 U.S.C. § 1746 and subject to the penalties of perjury, that
the following is true and correct:**

To Whom This May Concern:

We come forth as Witnesses for Brian David Hill on December 26, 2017. We were witnesses in his NC Federal Middle District court case and have come forth as his witnesses that he is INNOCENT of the charges and have filed our letters in his 2255 in November, 2017. We have been witnesses in a few court cases and are aware that the Executive Office for the United States Attorneys and US Dept of Justice in this particular court case is hiding or someone has destroyed very important Discovery papers from the Greensboro, NC State Bureau of

Investigation and a Cassette tape from the Mayodan, NC police department, These are very important documents causing an innocent man with many disabilities to be put in jail for 11 months without bond and is now having to register on a sex registry when he is innocent which is another form of torture for someone who already has many serious disabilities all of his life. Now the very agency which has brought charges and had this innocent man incarcerated are now keeping him from getting any of these very important documents which should be legally according to the Constitution of our country given to him to help him fight to prove his innocence.

Here are legal public court documentation that these records do exist. Mr. Placke was Brian's first appointed attorney:

In the United States District Court Middle District of North Carolina

Case No. 1:13CR435-1

TRANSCRIPT OF HEARING BEFORE THE HONORABLE WILLIAM L.
OSTEEN, JR. UNITED STATES DISTRICT JUDGE

Greensboro, North Carolina September 30, 2014 11:11 a.m.

UNITED STATES OF AMERICA vs. BRIAN DAVID HILL, Defendant.

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MR. PLACKE: Your Honor, I received in terms of discovery in this case from the Government two CDs, one of which contained the audio recording of the interview of Mr. Hill, the other of which contained law enforcement reports in PDF format. I've printed those out. The reports

are a Mayodan Police Department report dated August 22, 2012, and a North Carolina State Bureau of Investigation case file dated October 23, 2013. And perhaps in light of everything else, I should just return those to the Government at this point. THE COURT: Mr. Ramaswamy, I'll note Mr. Placke is returning the material to you.

US v. Hill - Hearing - September 30, 2014 (Page 18 & 19)

As we all have stated to the court, we all saw the NC SBI Discovery that the Executive Office for the United States Attorneys and US Dept of Justice tells this court that these records do not exist. We read it together (Brian David Hill, Roberta Hill, Stella Forinash and Ken Forinash) in January, 2015 at the office of Attorney John Scott Coalter at 910 North Elm St in Greensboro, NC. We were told that there would be some photos in there of child porn, but they would be blurry. We really did not want to see these and were relieved that there were NO photos at all in this report. It had a lot of typed descriptions of what we assume would be child porn, but NO photos at all. There were 3 copies of each page which made the report look a lot bigger than it really was. It took all of us a little over an hour to read and take notes. The most important notes we took was: ***"From the analysis, this record showed that 454 files had been downloaded with the eMule program between July 20, 2012 and July 28, 2013."*** The Mayodan, NC police report does

state that the Mayodan, NC police department and the brother of the Rockingham County, NC assistant district attorney from the Reidsville, NC Police Department performed the police raid on Brian's house on August 28, 2012, so this Discovery that they claim they do not have proves Brian is innocent of knowingly downloading child porn and justice can only be served by letting him use the proof document which was legally held against him to prove that if there was child porn on his computer, he was not the one who put it there because from August 28, 2012 until July 28, 2013 this computer was in the care of the Mayodan, NC police department and the State Bureau of Investigation in Greensboro, NC, and the Federal Court System in Greensboro, NC had these records. Justice is only served when a defendant can use the same public records that the Federal Government has used against him to prove his INNOCENCE in the Court of Law for all to see.

There is also a tape that the judge kept referring to on court dates, and a copy of this tape needs to be given to Brian Hill as well to be examined by a professional to prove the false guilty confession was a result of his disabilities: Autism and Brittle Diabetes being questioned at lunch time by 2 detectives who ignored the laws pertaining to a person with disabilities.

Brian wanted his family to see all of the records that were sent to him as

a result of his FOIA request. There was a photo of his INSULIN syringe (Which if his brittle diabetes was kept secret) could look like a needle used for illegal drugs. There was a picture of a stuffed rabbit toy which Brian had from the time he was 2 years old. Brian's great aunt sent this to him after we found out he had type 1 insulin dependent Diabetes, and he no longer played with this, but it was kept in his house by his mom as a special toy he had when he was a toddler. Here are some photos of Brian with the same stuffed animal which apparently the Mayodan, NC police felt was important to send to the courts in a child porn case. This is Brian David Hill in Rockingham County, NC holding this stuffed animal at the age of two (in 1992 & 1993).



The information below has been presented to the Danville, VA court early. To really give Brian all of the information he needs for his 2255, the Government employees should have contacted Attorney John Scott Coalter to get their copy of the discovery as well as the confession

cassette tape which was in this report. They also knew from the police report that the NC SBI in Greensboro, NC should have a copy of the discovery and the Mayodan, NC police department has a copy as required by law of the confession tape. Brian has made it very clear in court records that he was INNOCENT and would file a 2255 motion with PROOF of his innocence early on in his case. Brian also sent a copy of the following report to the Danville, VA courthouse.

On April 17, 2017, I (Ken Forinash) spoke with attorney John Scott Coalter of Coalter Law Offices by telephone at approximately 3:34 PM. The reason for my call was due to speaking with a different attorney pertaining to Brian Hill's case who thought she could help Brian prove his innocence, and she was influenced by what Mr. Coalter had to say about the case, and advised me that she would not be able to take his case or do anything for him. I asked Mr. Coalter how Brian Hill could go about acquiring the discovery files from his court case. His response was that according to the rules of the Middle District Court of North Carolina the defendant in a case cannot have access to their discovery. He said an attorney is the only person that can get the files, or the files could be destroyed, and that is the only disposition available for discovery files. I mentioned that several attorneys had told me that Mr. Hill could have access to his discovery, and he said he could send Mr. Hill the rule from

the Middle District if he so desired. I thanked him for his time and ended the call. After we called Brian, he told us that he wanted a copy of those NC rules. I then called Mr. Coalter again and left a message to send that to Brian. Brian never received it.

We (Brian's family) also noticed that the Executive Office for the United States Attorneys and US Dept of Justice has made it perfectly clear that they did not want any of the police in Brian's case to be named, so they made sure to **redact** all of these names to protect the Mayodan, NC law enforcement officers making sure that no one would know the relationships of all in Brian's case, yet anyone can go on the very public Mayodan Police Department Internet page and see all of these names, and there are many public newspaper articles with these names. Case

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At the same time Cheryl T. Sloan who is in **Greensboro, NC** and is the Special assistant U.S. Attorney Western District of Virginia has submitted (without redacting) the very private social security number more than once in these public court records of the plaintiff in this case as she is trying to stop this case and continues to hide the very important Discovery pages. This shows a very big bias in support of law enforcement against private American citizens and the constitutional rights of privacy of American citizens by the same agency which is

supposed to protect our citizens. While they very clearly are protecting their state's police, they are jeopardizing the safety of one of our disabled citizens.

Brian's family feel that for justice to be done, this needs to proceed to court with answers as to WHY the prosecution department in Greensboro, NC does not have the very reports that caused Brian to continue to suffer as their VICTIM. He is INNOCENT, and this department needs to answer some very important questions in court and needs to be forced to obtain these important records to free an innocent man who also has 3 disabilities pertaining to the Americans with Disability Act. One of the questions they need to answer is why his disabilities were ignored in the courts, why he was not allowed bond knowing how serious his disabilities are. The very reports they claim they no longer have are the very reports which will hold them accountable that from all the proof they had proves Brian is innocent and proves many points beyond a shadow of a doubt that he is innocent and he had received hacker attacks and a virus on his computer and a set-up of local government from Mayodan and Greensboro, NC. Not only should this case proceed to trial, but a government office like the FBI needs to get involved to investigate and see who all is involved with this set up against Brian David Hill of USWGO who was a volunteer reporter

reporting about local government on his and other websites in 2012 right before this child porn set up happened. Brian and his family have put many documents in the courts in Greensboro, NC and Danville, VA to prove a set up, and the answers to this court from the Executive Office for the United States Attorneys and US Dept of Justice in Greensboro, NC proves further set-up. Brian has filed our Witness letters in the federal court in Greensboro, NC for his 2255 in November, 2017 if anyone wants to review our proof of information as how important it is for Brian's freedom and constitutional rights and for his families freedom due to his being a disabled American citizen and on disability his entire life: Brittle type 1 diabetic with seizure disorder, autism, OCD and anxiety and has never been in trouble with the law until this child porn set up. We see many politicians & news people being set up with similar charges and accusations. Please feel free to view our other Witness letters at the address below:

Cited in case United States District Court for the Middle District of North Carolina, United States v. Brian David Hill:

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(The above Document (Witness Letter) covers page 74 – 75)

(The above Document (Witness Letter) covers page 77 – 87)

**We declare under penalty of perjury that the foregoing is true and correct
to the best of our knowledge:**

Signed Roberta R. Hill

Roberta R. Hill
(Brian David Hill's mother)
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Signed Stella B. Forinash

Stella B. Forinash
(Brian David Hill's grandmother)
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Signed Kenneth R. Forinash, TSgt, USAF, Ret

Kenneth R. Forinash, TSgt, USAF, Ret
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